

Message Text

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PAGE 01 STATE 172799
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FM SECSTATE WASHDC

TO AMEMBASSY LISBON NIACT IMMEDIATE

C O N F I D E N T I A L STATE 172799

EXDIS FOR MCHENRY REF LISBON 5019

FOLLOWING REPEAT USUN 2747 ACTION SECSTATE INFO BONN DAR
ES SALAAM GABORONE LAGOS LIBREVILLE LONDON LUSAKA MAPUTO
OTTAWA PARIS PRETORIA JUN 30.

QUOTE C O N F I D E N T I A L USUN NEW YORK 02747

EXDIS

E.O. 11652: GDS

TAGS: PORG, SF, WA

SUBJECT: NAMIBIA: DRAFT SECURITY COUNCIL RESOLUTION
ON WALVIS BAY

REF: A) USUN 2615, B) STATE 164122, C) PRETORIA 3623

1. THE CONTACT GROUP DISCUSSED VIEWS OF
CAPITALS PM JUNE 29 ON THE DRAFT SECURITY COUNCIL
RESOLUTION ON WALVIS BAY WHICH EMERGED FROM OUR
DISCUSSIONS WITH TANZANIAN AMBASSADOR SALIM (REF A).
THE GROUP AGREED TO RECOMMEND THREE CHANGES IN
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THE DRAFT (THE REVISED DRAFT RESOLUTION FOLLOWS
PARA 4):

(A) IN PREAMBULAR PARAGRAPH THREE, INSERT THE
WORDS "PARAGRAPH SEVEN OF" AFTER THE WORD "OF" AND
DELETE THE WORDS "INTER ALIA". (COMMENT. THIS
CHANGE WAS REQUESTED BY THE GERMANS WHO HAVE A NUMBER

OF DIFFICULTIES WITH THE RESOLUTION CITED AND THEREFORE WISH TO TAKE NOTE ONLY OF THE RELEVANT PARAGRAPH OF THE RESOLUTION. FURTHERMORE, ALL DELEGATIONS EXPRESSED RELUCTANCE TO CONCUR IN REFERENCES TO GA RESOLUTIONS IN SC RESOLUTIONS, AND SAW ABOVE AMENDMENT AS WAY TO LIMIT THE SIN. END COMMENT.)

(B) IN THE FINAL PREAMBULAR PARAGRAPH, DELETE THE BRACKETED ALTERNATIVE LANGUAGE;

(C) IN THE FIRST OPERATIVE PARAGRAPH DELETE THE BRACKETED ALTERNATIVE LANGUAGE.

2. IN ACCORDANCE WITH REF B, WE SUGGESTED THAT OPERATIVE PARAGRAPH FOUR BE WORDED IN A POSITIVE RATHER THAN NEGATIVE FASHION. (THE CONTACT GROUP HAD PREVIOUSLY CONSIDERED POSITIVE LANGUAGE AT LENGTH.) THE OTHERS IN THE GROUP, HOWEVER, MAINTAINED THAT POSITIVE LANGUAGE WOULD NOT SATISFY THE AFRICAN CONCERN ABOUT THE POTENTIAL FOR SOUTH AFRICAN MISUSE OF WALVIS BAY DURING THE TRANSITIONAL PERIOD. SALIM HAD BEEN INSISTENT THAT THE ISSUE WAS ONE OF POTENTIAL HARRASSMENT AND THAT IT MUST BE DEALT WITH DIRECTLY. IN FACT, SALIM BELIEVED THAT THE LANGUAGE NOW CONTAINED IN THE DRAFT ALREADY COMES CLOSE TO SKIRTING THE ISSUE, AND ANTICIPATED
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THAT WE WOULD BE PRESSED TO STRENGTHEN IT FURTHER.

3. THE FRENCH URGED THAT ALL REFERENCES TO TERRITORIAL INTEGRITY, PARTICULAR IN OPERATIVE PARAGRAPH ONE, BE REMOVED. THEY BELIEVE THAT THESE REFERENCES ARE CONTRADICTORY TO THE FRENCH LEGAL VIEW THAT WALVIS BAY IS NOT AN INTEGRAL PART OF NAMIBIA. WE AND THE OTHER THREE ARGUED STRONGLY THAT THESE REFERENCES ARE ESSENTIAL. WE NOTED THAT OUR LEGAL POSITIONS ARE THE SAME AS FRANCE'S AND THAT OUR GOVERNMENTS HAVE AGREED THAT THESE REFERENCES DO NOT INFRINGE ON THOSE LEGAL POSITIONS. THE CANADIANS ARGUED, WITH BRITISH AND GERMAN CONCURRENCE THAT THESE REFERENCES ARE COUCHED IN EITHER PAST, HISTORICAL TERMS (PREAMBULAR PARAS) OR IN FUTURE TERMS (OPERATIVE ONE); IN EITHER CASE, THE CONTEXT MAKES PLAIN THAT WE DO NOT CONSIDER WALVIS BAY NOW AN INTEGRAL PART OF NAMIBIA. THE FRENCH AGREED TO RELATE THESE POINTS TO PARIS.

4. FOLLOWING IS THE REVISED DRAFT SECURITY COUNCIL

RESOLUTION OF WALVIS BAY:

BEGIN TEXT:

THE SECURITY COUNCIL

RECALLING ITS RESOLUTION(S) (1976) (AND 1978);

REAFFIRMING IN PARTICULAR THE PROVISIONS OF
SECURITY COUNCIL RESOLUTION 385 (1976) RELATING TO
THE TERRITORIAL INTEGRITY AND UNITY OF NAMIBIA;

TAKING NOTE OF PARAGRAPH SEVEN OF GENERAL ASSEMBLY
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RESOLUTION 32/9D WHICH DECLARED THAT WALVIS BAY IS
AN INTEGRAL PART OF NAMIBIA;

RECOGNIZING THE IMPORTANCE OF GEOGRAPHIC,
ECONOMIC, POLITICAL, SOCIAL, CULTURAL, AND
ADMINISTRATIVE CONSIDERATIONS IN DETERMINING THE
FUTURE OF WALVIS BAY;

NOTING THAT THE POSITION OF ALL POLITICAL ELEMENTS
IN NAMIBIA IS THAT WALVIS BAY MUST BE REUNITED WITH
NAMIBIA;

1. DECLARES THAT THE TERRITORIAL INTEGRITY AND
UNITY OF THE INDEPENDENT STATE OF NAMIBIA CANNOT BE
ASSURED WITHOUT THE INCLUSION OF WALVIS BAY WITHIN
ITS TERRITORY;
2. CALLS FOR THE OPENING WITHOUT DELAY OF
NEGOTIATIONS BETWEEN THE GOVERNMENT OF NAMIBIA
AND THE SOUTH AFRICAN GOVERNMENT WITH A VIEW TO
REACHING EARLY AGREEMENT ON THE REINTEGRATION OF
WALVIS BAY INTO NAMIBIA;
3. AFFIRMS THAT THE SECURITY COUNCIL WILL LEND ITS
FULL SUPPORT TO THE ATTAINMENT OF A SUCCESSFUL OUTCOME
TO SUCH NEGOTIATIONS;
4. DECLARES THAT, PENDING THE SUCCESSFUL OUTCOME
IN THESE NEGOTIATIONS, WALVIS BAY MUST NOT BE
USED IN ANY MANNER PREJUDICIAL TO THE INDEPENDENCE
OF NAMIBIA OR THE VIABILITY OF ITS ECONOMY;
5. DECIDES TO REMAIN SEIZED OF THE MATTER AND TO
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KEEP UNDER REVIEW PROGRESS TOWARDS THIS END.
LEONARD UNQUOTE VANCE

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